

February 22, 2018

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

1. RESOLVED, the following item is hereby received and filed:
- a. COMM. 4D-4 (2018)
CLERK OF LEGISLATURE: “New York State Department of Environment Conservation Documents Received”
(Chair’s ruling)
2. COMM. 4E-12 (2018)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Environment and Planning (DEP) has received a grant from the New York State Department of Environmental Conservation (NYSDEC) to develop a food composting operation at the Erie County Correctional Facility (ECCF); and

WHEREAS, Erie County is creating a Climate Action & Sustainability Plan which targets reduction of greenhouse gas emissions (GHG) generated by County government operations; and

WHEREAS, a representative from Erie County Sheriff’s Office (EC SO) member on Erie County’s Green Team identified opportunities related to food waste and GHG reduction through composting; and

WHEREAS, food waste makes up approximately 40% of the average waste stream; and

WHEREAS, composting food waste will reduce GHG emissions and create a beneficial resource that can be used as a soil amendment; and

WHEREAS, NYSDEC identified the following sub-awardees in the approved work plan, People United for Sustainable Housing (PUSH) Buffalo, Sustainable Resources Group, Inc. (SRG), and Natural Upcycling to provide technical assistance for design, construction, set up and training regarding the composting site at the ECCF; and

WHEREAS, EC SO will have a critical role in overseeing inmate and compost operation management as was identified in the NYSDEC approved work; and

WHEREAS, the NYSDEC awarded Erie County \$694,390 in a three-year grant to design, construct, and operate the compost area, as well as train ECCF staff and inmates; and

WHEREAS, the addition of this initiative necessitates the execution of contracts with the NYSDEC and three sub-awardees; the adoption of a grant budget; the creation of a Senior Environmental Compliance Specialist (JG-12) position and the creation of a Corrections Officer (JG-12) position.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$694,390 from the NYSDEC to design, construct, and operate a food composting site at the ECCF; and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to contract with sub-awardees PUSH Buffalo, SRG, Inc., and Natural Upcycling in amounts not to exceed a total of \$75,000 for the purpose of providing technical assistance for the project; and be it further

RESOLVED, that the grant budget and project period for the Climate Smart Communities Grant for Food Compost Facility at Erie County Correctional Facility is hereby created in the Department of Environment and Planning, Funds Center 16200, Fund 281.

Erie County Food Waste Composting at EC Correctional Facility
SAP Grant Account #162ECFWCAEF1821
January 1, 2018 – March 31, 2021

NYSDEC REVENUE		
<u>Account</u>	<u>Description</u>	<u>Amount</u>
409000	State Aid Revenue	\$694,390
479000	County Share Cont.	<u>\$ 49,952</u>
TOTAL REVENUE		\$744,342
APPROPRIATIONS		
<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$152,153
502000	Fringe	\$91,292
510200	Out of Area Travel	\$2,000
510200	Training and Education	\$3,000

516020	Professional Services	\$113,555
561430	Buildings, Grounds	\$115,000
561410	Lab/Tech Equipment	\$2,040
911500	ID Sheriff Div.	<u>\$253,302</u>
TOTAL APPROPRIATIONS		\$744,342

and be it further

RESOLVED, that the following position, which is grant funded, will be created for the Climate Smart Communities Grant for Food Compost Facility at ECCF in Funds Center 16200, Fund 281 into the newly created grant 162EVFWCAEF1821:

Senior Environmental Compliance Specialist (JG-12)
B-100 # 9792 Budgeted Annual Salary: \$60,860

and be it further

RESOLVED, that the following position, which will be reimbursed via ID billing, be created in the Erie County Sheriff’s Office Funds Center 11510 Fund 110 only for the duration of the grant commitment:

Corrections Officer (JG-12)
B-100 # 9841 Budgeted Annual Salary: \$77,700

Fund 110 – 2018 Budget
Erie County Sheriff Office - Funds Center 11510

<u>APPROPRIATIONS</u>		
<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$77,700
502000	Fringe Benefits	\$48,951
911500	ID Sheriff Div.	<u>\$(126,651)</u>

TOTAL APPROPRIATIONS \$0

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Sheriff Timothy Howard; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.
(3-0) Legislator Baskin not present for vote.

3. COMM. 4E-14 (2018)
COUNTY EXECUTIVE
WHEREAS, the Department of Parks, Recreation & Forestry has a large investment in both Grover Cleveland Golf Course and Elma Meadows Golf Course; and

WHEREAS, both County golf courses are best operated with a full time greenskeeper; and

WHEREAS, the Department of Parks, Recreation & Forestry desires to upgrade the existing Assistant Greenskeeper position, Job Grade 7-Step 6, to a Greenskeeper position, Job Grade 10-Step 1, to reflect job equality among staff performing similar duties; and

WHEREAS, the additional projected cost for this change (\$ 1,901) will be fully offset by known turnover savings within the department.

NOW, THEREFORE, BE IT

RESOLVED, that the current Assistant Greenskeeper position, Job Grade 7, be upgraded to a Greenskeeper position, Job Grade 10; and be it further

RESOLVED, that all needed Personnel actions be undertaken by the Department of Personnel and the Division of Budget and Management; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget, Management, the

Office of the Erie County Comptroller and Assistant County Attorney, Kristen Walder, of the Law Department.
(4-0)

4. COMM. 4E-15 (2018)
COUNTY EXECUTIVE

WHEREAS, the Division of Sewerage Management has centralized a number of functions for the Erie County Sewer Districts (ECSDs) in the interest of efficiency and limiting duplication of efforts; and

WHEREAS, from time-to-time projects are completed by the Division of Sewerage Management that benefit all of the ECSDs; and

WHEREAS, Erie County’s Sewer Fund consists of four (4) different operating budgets and a capital reserve fund for each ECSD; and

WHEREAS, the Division of Sewerage Management proposes the transfer of capital reserve funds from each ECSD into a single capital project for the purpose of funding Division-wide projects.

NOW, THEREFORE BE IT

RESOLVED, that authorization is hereby provided for the partial closing of a sum of \$200,000 from the ECSD capital reserve projects as follows:

ECSD No.	Capital Project	Amount
1	C.00033	\$30,000
2	C.00008	\$18,000
3	C.00007	\$70,000
4	C.00034	\$54,000
5	C.00005	\$12,000
6	C.00006	\$ 8,000
8	C.11801	\$ 8,000

and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$30,000 from ECSD No. 1 capital reserve project C.00033, Funds Center 181, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to capital project C.00065, Fund Center 180, Fund 430, GL 486000 Interfund Revenue Subsidy; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$18,000 from ECSD No. 2 capital reserve project C.00008, Funds Center 182, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to capital project C.00065, Funds Center 180, Fund 430, GL 486000 Inter-fund Revenue Subsidy; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$70,000 from ECSD No. 3 capital reserve project C.00007, Funds Center 183, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to capital project C.00065, Funds Center 180, Fund 430, GL 486000 Inter-fund Revenue Subsidy; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$54,000 from ECSD No. 4 capital reserve project C.00034, Funds Center 181, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to capital project C.00065, Funds Center 180, Fund 430, GL 486000 Inter-fund Revenue Subsidy; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$12,000 from ECSD No. 5 capital reserve project C.00005, Funds Center 181, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to capital project C.00065, Funds Center 180, Fund 430, GL 486000 Inter-fund Revenue Subsidy; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$8,000 from ECSD No. 6 capital reserve project C.00006, Funds Center 186, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to capital project C.00065, Funds Center 180, Fund 430, GL 486000 Inter-fund Revenue Subsidy; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$8,000 from ECSD No. 8 capital reserve project C.11801, Funds Center 183, Fund 430, GL 570000 – Inter-fund Transfer-Subsidy to capital project C.00065, Funds Center 180, Fund 430, GL 486000 Inter-fund Revenue Subsidy; and be it further

RESOLVED, that the revenue and appropriation budgets for capital project C.00065 be increased by \$200,000; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate these transfers; and be it further

RESOLVED, that any unused funds be returned to the capital reserve project and the budget be adjusted accordingly; and be it further

RESOLVED, that the Division of Sewerage Management notify the Erie County Legislature of any instance where funds in capital account C.00065 are used for Division-wide projects; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive, the County Comptroller, and the Director of Budget and Management; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.
(4-0)

5. COMM. 4E-16 (2018)
COUNTY EXECUTIVE

WHEREAS, the County Executive has made the below appointment to the Erie County Sewer District Board of Managers pursuant to the power vested to him by Section 2204 of the County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the following appointment to the Erie County Sewer District Board of Managers is hereby confirmed:

<u>Erie County Sewer District No. 3</u>	<u>Term Expires</u>
Mr. Mark Cavalcoli (Appointment) 6253 Heltz Rd Lakeview, NY 14085	12/31/19

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the appointee, and Joseph Fiegl, P.E. – Deputy Commissioner of the Department of Environment and Planning.
(4-0)

6. COMM. 4E-17 (2018)
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 3E-13 (2015), Contract 40RB was awarded to Concrete Applied Technologies Corp. to construct the Aurora North Pumping Station Elimination Project in Erie County Sewer District No. 4; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 40RB, in the final contract amount of \$7,630,282.91 which includes Change Order No. 1 (final), a decrease of \$203,232.09 and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 40RB between the County of Erie and Concrete Applied Technologies Corp. (1266 Town Line Road, Alden, New York 14004) is accepted in the final contract amount of \$7,630,282.91 which includes Change Order No. 1 (final), a decrease of \$203,232.09 and is allocated in Erie County Sewer District No. 4 Capital Account C.00072; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 40RB, to Concrete Applied Technologies Corp. for a total contract amount of \$7,630,282.91; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(4-0)

7. COMM. 4E-18 (2018)
COUNTY EXECUTIVE

WHEREAS, Erie County Sewer District (ECSD) No. 5 will be providing sewer service to the proposed Creekwood Meadows Subdivision; and

WHEREAS, to provide sewer service this proposed subdivision, a new pumping station is required; and

WHEREAS, an analysis by the Division of Sewerage Management determined that if the new pumping station were redesigned with a deeper wet well and larger capacity, the existing ECSD No. 5 Loch Lea Pumping Station could be eliminated; and

WHEREAS, an agreement was reached with the developer where ECSD No. 5 will provide certain materials for the new pumping station and the developer will be responsible for the construction of infrastructure that will allow for the elimination of the Loch Lea Pumping Station; and

WHEREAS, a partial closing of ECSD No. 5 capital reserve project C.00005 would fund the purchase of materials without incurring long-term financing costs.

NOW, THEREFORE BE IT

RESOLVED, that authorization is hereby provided for the partial closing of up to \$125,000 in ECSD No. 5 capital reserve project C.00005 to purchase materials necessary for new infrastructure to be constructed that would allow for elimination of the Loch Lea Pumping Station; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$125,000 from ECSD No. 5 capital reserve project C.00005, funds center 181, fund 430, GL 570000 – Interfund Transfer-Subsidy and increase the revenues and appropriations in the 2018 ECSD operating budget as follows:

ECSD No. 5, Funds Center 181, Fund 220

REVENUE	INCREASE
486010 – Residual Equity Transfer-In	<u>\$125,000</u>
TOTAL REVENUE	\$125,000
APPROPRIATIONS	INCREASE
506200 – Maintenance and Repairs Supplies	<u>\$125,000</u>
TOTAL APPROPRIATIONS	\$125,000

and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate these transfers; and be it further

RESOLVED, that any unused funds be returned to the capital reserve project and the operating budget be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive, the County Comptroller, and the Director of Budget and Management; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management.

(4-0)

JOHN BRUSO
CHAIR